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8 **UNITED DISTRICT COURT**  
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
10 **(SAN FRANCISCO DIVISION)**

11 CLAIRE C. HAGGARTY, individually and on  
behalf of all others similarly situated,

12  
13 Plaintiff,

14 vs.

15 STRYKER ORTHOPAEDICS (aka STRYKER  
ORTHOPEDICS; aka STRYKER  
16 ORTHOPEDICS, INC.); HOWMEDICA  
OSTEONICS CORPORATION; STRYKER  
17 CORPORATION; and STRYKER SALES  
CORPORATION,

18 Defendants.

Case No: CV-08-01609-JSW

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING DEADLINE FOR  
DEFENDANTS TO FILE A REPLY TO  
PLAINTIFF'S OPPOSITION TO  
DEFENDANTS' MOTION TO DISMISS  
FROM JULY 14, 2008 TO JULY 28, 2008**

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20 **STIPULATION**

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22 Plaintiff Claire C. Haggarty and Defendants Stryker Orthopaedics, Howmedica Osteonics  
23 Corporation, Stryker Corporation and Stryker Sales Corporation submit the following Stipulation  
24 and Proposed Order continuing the deadline for Defendants to file a Reply to Plaintiff's  
25 Opposition to Defendants' Motion to Dismiss from July 14, 2008 to July 28, 2008.

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**RECITALS**

A. Whereas, on May 16, 2008, Defendants filed a motion to dismiss;

B. Whereas, on June 18, 2008, the Court entered a briefing schedule requiring Plaintiff to file any opposition to Defendants' motion to dismiss no later than July 7, 2008, and Defendants to file any Reply to Plaintiff's opposition no later than July 14, 2008;

C. Whereas, on July 7, 2008, Plaintiff filed her opposition to Defendants' motion to dismiss;

D. Whereas, Defendants seek an extension of time to file their Reply to Plaintiff's opposition to address complex legal issues raised in Plaintiff's Opposition;

E. Whereas, the Parties all consent to continuing the deadline for Defendants to file a Reply to Plaintiff's Opposition to Defendants' motion to dismiss from July 14, 2008 to July 28, 2008;

F. Whereas, Defendants' motion to dismiss is currently scheduled to be heard by the Court on September 26, 2008;

BASED THEREON, IT IS HEREBY STIPULATED by and between the parties as follows: The deadline for Defendants to file a Reply to Plaintiff's Opposition to Defendants' Motion to Dismiss currently set for July 14, 2008 is continued to **July 28, 2008**.

**SO STIPULATED**

DATED: July 10, 2008

**COTCHETT, PITRE & McCARTHY**

By: /s/ Frank M. Pitre

FRANK M. PITRE

*Attorneys for Plaintiff Claire C. Haggarty*

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DATED: July 10, 2008

**KASOWITZ, BENSON, TORRES & FRIEDMAN LLP**

By: /s/ William M. Goodman

WILLIAM M. GOODMAN

*Attorneys for Defendants Stryker Orthopaedics;  
Howmedica Osteonics Corporation; Stryker  
Corporation; and Stryker Sales Corporation*

**[PROPOSED] ORDER**

Having read and reviewed the foregoing Stipulation, **IT IS ORDERED THAT:**

The deadline for Defendants to file a Reply to Plaintiff's Opposition to Defendants' Motion to Dismiss currently set for July 14, 2008 is continued to **July 28, 2008**.

**IT IS SO ORDERED.**

DATED:

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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE